

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		Attorney's Docket Number 040894-7170
International Application. No.	International Filing Date	U.S. Application No. 10/522366 Unassigned
PCT/JP03/09543	July 28, 2003	Priority Date Claimed July 26, 2002

Title of Invention: **MARKER FOR SELECTING TRANSFORMANT WITH THE USE OF LETHAL GENE**

Applicant(s) For EO/EO/US: **Masayuki MACHIDA, Haruhiko MASAKI, Sumiko KUNIHIRO,
and Hiroko HAGIWARA**

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(I).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ was transmitted by the International Bureau.
6. ☒ A copy of the International Application as filed has been transmitted by the International Bureau.
7. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
10. ☐ An oath or declaration of the inventors (35 U.S.C. § 371(c)(4)).
11. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

12. ☐ An Information Disclosure Statement under 37 C.F.R. § 1.52(a) as required by 37 C.F.R. § 1.52(a).
13. ☐ An assignment document for recording. A separate copy of the assignment document is included.
14. ☐ A **FIRST** preliminary amendment.
15. ☒ A **SECOND** or **SUBSEQUENT** preliminary amendment.
- Other items or information:
 - a. PCT/RO/101
 - b. PCT/ISA/210
 - c. WO 2004/011412
 - d. Deposit Receipts
 - e. Sequence Listing

DT05 Rec'd PCT/PTO 25 JAN 2005

10/522366

U.S. APPLICATION NO. | INTERNATIONAL APPLICATION NO. | ATTORNEY DOCKET NUMBER

Unassigned | PCT/JP03/09543 | 040894-7170

16. ☒ The following fees are submitted:
Basic National Fee (37 C.F.R. § 1.492(a)(1)-(5)):

NATIONAL STAGE BASIC FEE AMOUNT = \$ 300.00


Surcharge of \$130.00 for furnishing the oath or declaration later than
☐ 20 ☒ 30 months from the earliest claimed priority date
(37 C.F.R. § 1.492(e)).

Claims	Number Filed	Number Extra	Rate	
Total Claims	12 - 20 =	0	X \$50.00	\$0.00
Independent Claims	0 - 3 =	0	X \$200.00	\$0.00
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$0.00
Application Size Fee - \$250.00 for each additional 50 sheets that exceeds 100				\$
			\$500.00	\$ 500.00
Search Fee			\$200.00	\$ 200.00
Examination Fee				\$1,000.00
TOTAL OF ABOVE CALCULATIONS				
Reduction by 1/2 for filing by small entity, if applicable.				
Verified Small Entity statement must also be filed. (Note 37 C.F.R. §§ 1.9, 1.27, 1.28)				-\$
SUBTOTAL =				\$ 1,000.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).				+\$ 130.00
TOTAL NATIONAL FEE =				\$ 1,130.00
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The Assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property				\$ 0.00
TOTAL FEES ENCLOSED =				\$ 1,130.00
Amount to be refunded				\$
Amount to be charged				\$ 1,130.00

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-0310 in the amount of \$1,130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

Date: January 25, 2005

Customer No. 09629
SEND ALL CORRESPONDENCE TO:
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001


Robert J. Goodell Reg. No. 41,040

07/25/2005 PROOKER 00000007 500310 10522366
Sale Ref: 00000000 DAW: 500310 10522366
01 FC:1642 400.00 DA

BEST AVAILABLE COPY